



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14378 of 2022

1. Vinu Thasaian
2. Balamurugan

... Petitioners/Accused
No.2 & 4

Vs

State rep.by
The Sub Inspector of Police,
Tirunelveli Police Station,
CSCID Madurai,
(Crime No.108 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Jegadeeshapandian.V.M.,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 108 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 and r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955 in Crime No.108 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other persons had illegally transported 15000 Kgs of PDS Rice. Hence the complaint.



3. Learned Counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution, but, a false case has been foisted as against them. However, to show their **bona fide**, the petitioners **have come forward to pay a sum of Rs.84750/- (Rupees Eighty four thousand seven hundred and fifty only) to the credit of Cr.No.108 of 2022** before the trial Court concerned.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioners said to have illegally transported 15000 Kgs of PDS rice, without any permission. He further submitted that no previous case pending against the petitioners herein.

5. Considering the nature of the mineral involved, the antecedents **of the petitioner and his willingness to pay a sum of Rs.84,750/- (Rupees Eighty four thousand seven hundred and fifty only)** to the credit of Crime Number, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of **Rs.84750/- (Rupees Eighty four thousand seven hundred and fifty only)** to the credit of Cr.No.108 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Thirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned. The petitioners shall appear before the respondent police once in a month i.e., on first Monday of every English Calender Month at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
01/09/2022

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/09/2022

Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1. THE JUDICIAL MAGISTRATE NO.II,
THIRUNELVELI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE SUB INSPECTOR OF POLICE,
TIRUNELVELI POLICE STATION,
CSCID-MADURAI.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.JEGADEESHAPANDIAN.V.M. Advocate SR.No.43249

ORDER
IN
CRL OP(MD) No.14378 of 2022
Date :01/09/2022

SP/SVR/SAR I/09/09/2022/3P/6C